

REMARKS/ARGUMENTS

1. SUMMARY OF THE OFFICE ACTION

In the Office Action mailed April 8, 2005, the Examiner rejected claims 1 - 6, 8 - 12, 14 - 19, 21 - 25, 27 - 30, 32, and 34 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,136,501 to Silverman et al. (hereinafter "Silverman"). In addition, claims 7, 13, 20, 26, 31, 33 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Silverman, in further view of U.S. Patent No. 6,351,761 to Cantone et al. (hereinafter, Cantone).

2. RESPONSE TO § 103 REJECTIONS

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Silverman does not disclose each and every limitation of independent claims 1, 8, 14, 21, 27 and 32.

Applicant's claim 1, as amended, includes the following limitation:

converting the point-to-point request message to a subject-based message, the subject-based message addressed with a subject-based addressing protocol;

(Claim 1, as amended, emphasis added). Applicant's invention as claimed relates to a method and system for anonymous, subject-based addressing in network communications. For example, Applicant's invention relates to a system that is capable of routing messages from one device to another device based on labeling, or addressing, the message with a subject name which corresponds to the subject or content of the message. Accordingly, claim 1 refers to receiving a point-to-point message (e.g., a message addressed with a point-to-point addressing protocol), and converting the point-to-point request message to a subject-based message addressed with a subject-based addressing protocol.

Silverman relates to a distributed anonymous matching system for use in trading various trading instruments. (Col. 6, Line 24). Accordingly, the system described in Silverman provides for anonymously matching active bids and offers. (Abstract). For example, according to Silverman, bids and offers are matched, and transactions processed, with the parties to the transaction remaining unknown to each other. (Col. 1, Lines 43 – 47). According to Silverman, messages are communicated between a central system and several client devices, or keystations. However, Silverman does not describe the manner in which messages are addressed when communicated from one device to another. In particular, Silverman does not disclose, relate to, or suggest anonymous, subject-based addressing. In direct contrast to claim 1, Silverman does not disclose receiving a point-to-point message, and converting the point-to-point request message to a subject-based message, the subject-based message addressed with a subject-based addressing protocol.

The Examiner has broadly interpreted subject-based message to mean any message being generally associated with a subject. However, Applicant submits that a subject-based message is a message addressed with a subject-based addressing protocol.

In the Office Action mailed April 8, 2005, the Examiner has stated:

[It] is inherent in Silverman disclosure (col. 15, lines 30-42) that a matching and response process is subject-based, that is a received message is converted to subject-based request in order for matching to take place and respond to the client side stations.

(Office Action mailed April 8, 2005). Applicant submits that Silverman does not inherently disclose or suggest that a subject-based message is addressed with a subject-based addressing protocol. To the contrary, Silverman specifically states that the "central system 20 generates directed messages back to each of the keystations." (Col. 15, Lines 37 - 38). Furthermore, Silverman states:

Of course, the network 22 has various other communication functions which, however, for purposes of understanding the present invention are unnecessary to go into. Suffice it to say that preferably, communication network 22 uses a protocol which can be termed hierarchical fan-out in which one node transmits to multiple nodes which in turn transmit to multiple other nodes. Thus, network 22 helps implement broadcast capabilities integrated with a message switching network to achieve full tolerance and broadcast distribution. It should be noted when a potential match occurs, and the gross counterparty credit limit is not exceeded for that potential match, the central system 20 will preferably send directed messages or responses to all of those parties in the system that were involved in the match, so that, in some instances, two, three or more client site 26 maybe involved in receiving the directed message. However, this still differs from the broadcast message which is sent to all client sites irrespective of their involvement in a particular match.

(Silverman, Col. 8, Lines 11 - 30). According to Silverman, a hierarchical fan-out protocol is used to communicate messages. However, Silverman does not disclose or suggest converting a point-to-point request message to a subject-based message addressed with a subject-based addressing protocol, as is claimed in claim 1. Consequently, Applicant submits that Silverman does not disclose each and every

limitation of claim 1, and therefore Silverman does not anticipate claim 1. For the same reason, Silverman does not anticipate independent claims 8, 14, 21, 27 and 32, and dependent claims 2 - 7, 9 - 13, 15 - 20, 22 - 26, 28 - 31, and 33 - 34, which depend directly or indirectly upon claims 1, 8, 14, 21, 27 and 32.

In light of the above, Applicant respectfully submits that the rejection under 35 U.S.C. § 103 has been overcome, and withdrawal of this rejection is therefore respectfully requested.

It should furthermore be noted that the above amendments to the claims have not been made with a view to overcoming any prior art of which the Applicants are aware, or that has been cited in the present Office Action. The above amendments have been made with a view to modifying the form of the claims. For example, the word "steps" has been removed from the method claims so as to avoid interpretation of the relevant method claims under 35 U.S.C. § 112, paragraph 6.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,
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